

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

PLYMOUTH COUNTY RETIREMENT
SYSTEM and OKLAHOMA POLICE
PENSION AND RETIREMENT SYSTEM,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiffs,

v.

EVOLENT HEALTH, INC., FRANK
WILLIAMS, NICHOLAS MCGRANE, and
SETH BLACKLEY,

Defendants.

Case No. 1:19-cv-01031-MSN-TCB

**LEAD PLAINTIFFS' UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Lead Plaintiffs Plymouth County Retirement Association (“Plymouth County”) and Oklahoma Police Pension and Retirement System (“Oklahoma Police”) (collectively, “Lead Plaintiffs” or “Plaintiffs”),¹ on behalf of themselves and the proposed Settlement Class, respectfully move this Court to enter an order preliminarily approving the settlement of this class action.

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Lead Plaintiffs seek an order, which will, among other things:

- (i) preliminarily approve the proposed Settlement pursuant to the Stipulation;

¹ Unless otherwise defined herein, all capitalized terms shall have the same meanings ascribed to them in the Stipulation and Agreement of Settlement, dated August 2, 2022 (the “Stipulation”), filed concurrently herewith.

- (ii) certify the proposed Settlement Class for settlement purposes;
- (iii) approve the form and content of the Notice and Summary Notice attached as Exhibits A-1 and A-3 to the Proposed Order Preliminarily Approving Settlement and Providing for Notice (the “Preliminary Approval Order”);
- (iv) find that the proposed procedures for distribution of the Notice and publication of the Summary Notice constitute the best notice practicable under the circumstances, and comply with due process, Rule 23 of the Federal Rules of Civil Procedure, and the PSLRA; and
- (v) set a schedule and procedures for: (1) disseminating the Notice and publishing the Summary Notice; (2) requesting exclusion from the Settlement Class; (3) objecting to the Settlement, the Plan of Allocation, and/or Lead Plaintiffs’ motion for an award of attorneys’ fees and reimbursement of Litigation Expenses; (4) submitting papers in support of final approval of the Settlement; (5) participating in the Settlement and submitting a Claim; and (6) the Settlement Hearing.

This Motion is supported by the accompanying Memorandum of Law and exhibits, which are filed herewith, and the Parties’ August 2, 2022 Joint Status Report (ECF No. 242). The specific terms of the proposed Settlement are set forth in the Stipulation, filed herewith.

Pursuant to Local Civil Rule 7, Lead Counsel has conferred with Defendants’ Counsel and Lead Plaintiffs certify that, as set forth in ¶ 3.2 of the Stipulation, Defendants do not oppose the Motion. For the Court’s convenience, the Parties’ agreed-upon form of proposed Preliminary Approval Order (and accompanying exhibits) is submitted herewith.

Dated: August 2, 2022

Respectfully submitted,

/s/ Steven J. Toll
Steven J. Toll

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*Lead Counsel for Lead Plaintiffs and the Proposed
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CERTIFICATE OF SERVICE

I hereby certify that on August 2, 2022, I caused the foregoing to be electronically filed with the Clerk of Court via CM/ECF, which will send a notice of electronic filing to all registered users.

/s/ Steven J. Toll

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